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**2024/0891**

Mr Mark Riches

Demolition of weighbridge facility (Prior Notification)

Weighbridge, Westwood New Road, Tankersley, Barnsley, S75 3DA

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### **Site Location and Description**

The site is located to the Eastbound side of the A61 along a layby. The site was formerly utilised as a weighbridge facility which is now redundant. The site is approximately 250m in length and includes an administrative building and entrance and exit points which are secured by locked barriers.

The single storey administrative building consists of stone construction with a pitched slate roof. Internally, the building consists of blockwork walls and contains a working office and welfare facilities.

### **Proposed Development**

The applicant wishes to demolish the building; there are currently no plans to re-develop the site. The facility is to be demolished to ensure all Driver Vehicle Standards Agency presence is removed from the site in order to return it back to National Highways.

The application has been submitted as a Prior Notification of the intended demolition of the proposed works under Part 11 'Heritage and Demolition', Class B of the Town and Country Planning (General Permitted Development) Order 2015. Under this procedure the Council has 28 days to consider whether or not Prior Approval is required for the proposed method of demolition and means of site restoration. After demolition, the site is to be left in a safe presentable manner for any future, potential development.

### **Policy Context**

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

#### **Local Plan**

The site is allocated as Urban Fabric within the Adopted Local Plan, which has no specific land allocation and therefore the following policies are relevant:

Policy GD1 General Development

Policy D1 High Quality Design and Place Making

Policy T4  
Policy POLL1

## National Planning Policy Framework (NPPF)

The National Planning Policy Framework sets out the Governments planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

Where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

## Consultations

Biodiversity – Initially requested that a preliminary roost assessment for bats should be submitted to support the application for demolishing the buildings. Upon receipt of this, no objection was received

Forestry Officer – No objections

Highways – No objections

Pollution Control – No objections, requested a condition to restrict demolition times.

Ward Councillors – No objections received

## Representations

No representations have been received.

## Assessment

### Principle of development

Demolition is a form of permitted development under Part 11 'Heritage and Demolition', Class B of the Town and Country Planning (General Permitted Development) Order 2015 and so there are no grounds to oppose the demolition of the building in principle, which is not listed or located within a Conservation Area.

The information submitted in support of the application is standard and non-specific, however, consultees have not raised objection to the proposals in principle subject to additional information being submitted through a discharge of conditions application. Furthermore, notice must be given to Building Control and Highways and Engineering where further controls and legislation apply. In addition, the contractor would have to adhere to Health and Safety Legislation set out by the Health and Safety Executive and Environment Agency.

### Residential Amenity

There would be noise and disturbance as a result of the proposed demolition works, however, the site is located on the busy A61 and whilst a hotel is located to the south, the demolition is not considered to cause a significant level of disturbance.

Pollution Control have been consulted on the application and have raised no objections to the proposals nor requested the inclusion of any conditions.

### Visual Amenity

There are no implications for visual amenity through the loss of the building as the building does not have any special or significant architectural merit. The site would be left in a safe and level condition until detailed proposals are put forward for its re-development, however no details have been submitted at this stage. Given that the site is located adjacent to the eastbound carriage way of the A61, development of this site would be limited.

### Impact on Ecology

A preliminary roost assessment was undertaken in February 2024. The building was found to have high potential for roosting bats however no bats or signs of bats were observed. The report goes on to state that due to the high potential of the building to support bats, it is recommended that three emergence or re-entry surveys are conducted to identify whether bats are using the building or potentially absent. These surveys are also used to categorise the type of roost (if bats are present) and to inform possible future license applications.

The council's Ecologists were consulted on the application, and they have requested the submission of the bat emergence surveys. Whilst the comments of the Ecologist are noted, biodiversity implications cannot be considered during the determination of these prior notification applications. In addition, bats are protected under other legislation and an informative is proposed to remind the applicant of their responsibilities under the Wildlife and Countryside Act legislation.

### Highway Safety

Highways have been consulted on the application and raise no objection to the demolition of the structure. It is noted that this section of the A61 is under the jurisdiction of National Highways and any work would require their consent.

### **Recommendation**

Approve subject to conditions